

EXHIBIT 4D

Oral Deposition of Daniel Dror

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CAUSE NO. 2010-27354

WELLS FARGO BANK, N.A., AS) IN THE DISTRICT COURT OF
TRUSTEE FOR OPTION ONE)
MORTGAGE LOAN TRUST)
2007-FXD1, ASSET-BACKED)
CERTIFICATES, SERIES)
2007-FXD1, BY ITS)
SERVICER-IN-FACT,)
SPECIALIZED LOAN)
SERVICING, LLC,)
Plaintiff,)
)
VS.) 270TH JUDICIAL DISTRICT
)
BOULEVARD PROPERTIES)
CORPORATION, DANIEL DROR,)
II, DANIEL DROR, AND)
GABRIELA KRKOSKOVA DROR,)
Defendants.) HARRIS COUNTY, TEXAS

ORAL AND VIDEOTAPED DEPOSITION OF DANIEL DROR
SEPTEMBER 6, 2012

ORAL AND VIDEOTAPED DEPOSITION of DANIEL DROR,
produced as a witness at the instance of the
Plaintiff/Counter-Defendant Wells Fargo, Trustee, and
duly sworn, was taken in the above-styled and
numbered cause on the 6th day of September, 2012,
from 9:14 a.m. to 3:42 p.m., before Yvette Perrodin,
CSR in and for the State of Texas, reported by
machine shorthand, at the offices of Hughes, Watters,
Askanase, L.L.P., Three Allen Center, 333 Clay,
29th Floor, Houston, Texas, pursuant to the Texas
Rules of Civil Procedure and the stipulations of
counsel as set out herein or attached hereto.

Liberty Litigation Support
Phone: 713-581-8227 Fax: 713-533-8997

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Oral Deposition of Daniel Dror

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1	APPEARANCES	
2	FOR THE PLAINTIFFS:	THE VIDEOGRAPHER: On the record at
3	Mr. C. Ed Harrell	9:14 a.m., beginning Tape 1.
4	HUGHES, WATTERS, ASKANASE, L.L.P.	DANIEL DROR,
5	Three Allen Center	having been first duly sworn, testified as follows:
6	333 Clay, 29th Floor	EXAMINATION
7	Houston, Texas 77002	BY MR. HARRELL:
8	Phone: (713) 759-0818	Q. What's your name?
9	Fax: (713) 759-6834	A. Daniel Dror.
10	FOR THE DEFENDANT DANIEL DROR II, DANIEL DROR AND	Q. Are you a U.S. citizen?
11	GABRIELA KRKOSKOVA DROR:	A. Yes, sir.
12	Mr. Neal D. Cannon, Jr.	Q. Naturalized?
13	NEAL CANNON & ASSOCIATES, P.C.	A. Naturalized?
14	921A Heights Boulevard	Q. Yes, sir.
15	Houston, Texas 77008	A. What do you mean by that?
16	Phone: (713) 260-3900	Q. Were you born in the U.S.?
17	Fax: (713) 260-3902	A. No.
18	FOR THE DEFENDANT BOULEVARD PROPERTIES CORPORATION:	Q. Did you become a citizen after your birth?
19	Mr. Leonard H. Simon	A. Yes.
20	PENDERGRAFT & SIMON	Q. When?
21	2777 Allen Parkway, Suite 800	A. Approximately 20 years ago.
22	Houston, Texas 77019	Q. Where did you live before you moved to the
23	Phone: (713) 528-8555	States?
24	Fax: (832) 202-2810	A. I lived in Brazil.
25	ALSO PRESENT:	Q. Were you originally a Brazilian citizen?
18	Ms. Kayla Barnes - Videographer	A. Not originally.
19	Mr. Kathy Conn	
20	Mr. Daniel Dror, II	
	Page 3	Page 5
1	INDEX	
2		Q. Okay.
3	PAGE	A. But I was a Brazilian citizen.
4	Stipulations 1	Q. Let's -- let's take it one at a time, then.
5	Appearances 2	What was your original citizenship?
6	DANIEL DROR	A. I was born in Israel.
7	Examination by Mr. Harrell 4	Q. All right. And how long were you there?
8	Examination by Mr. Cannon 218	A. I was there until I was about 12, 13 years
9	Further Examination by Mr. Harrell 222	old.
10		Q. And then you moved where?
11	Signature and Changes 225	A. We moved to Sao Paulo, Brazil.
12	Reporter's Certificate 227	Q. Were you an Israeli citizen, until you moved
13		to Brazil?
14	EXHIBITS	A. Yes, sir.
15	NO. DESCRIPTION PAGE	Q. And when did you become a Brazilian citizen?
16	87 Special Warranty Deed 41	A. Probably a few years later.
17	88 Deed of Trust 58	Q. And were you a Brazilian citizen, until you
18	89 Deed of Trust 67	became a U.S. citizen?
19	90 Title Documents 81	A. That's correct.
20	91 Real Estate Lien Note 117	Q. Did you work in Brazil?
21	92 Option One Statement 196	A. I was working in Brazil, but just not full
22	93 Deed of Trust 201	time. I was still young, and I was, like, working
23	94 Texas Franchise Tax Information Report 202	some part time, and doing different jobs, but,
24	95 Deed of Trust 204	primarily, playing the violin.
25	96 Fourth Amended Notice of Deposition 210	Q. I may have misunderstood you.
		I thought that you moved to the U.S.

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1	International. True?	1	Q. I see. I misunderstood.
2	A. He did not have a base salary of that -- that	2	When were you divorced from --
3	amount.	3	A. '84.
4	Q. Where do you currently live, sir?	4	Q. Franzheim was her maiden name?
5	A. I live at 1412 North Boulevard.	5	A. Barbara Franzheim, yes.
6	Q. How long have you lived there?	6	Q. No one lived at 1412, in the period 1977 to
7	A. I've lived there for 30-some-odd years.	7	1984, except Ms. Franzheim and Daniel Dror, II?
8	Q. You've continuously occupied that residence	8	A. Correct.
9	as your primary residence. True?	9	Q. Did you get the house in the divorce?
10	A. As my primary residence, not -- not as my	10	A. No. When we got divorced, I bought -- I
11	primary residence all these years.	11	bought her share -- I bought Barbara's share in the
12	Q. Okay. When was 1412 North Boulevard not your	12	house, and she kept the place in New York. In other
13	primary residence?	13	words, we -- we exchanged. She wanted to live in
14	A. There was a period that I had -- that I lived	14	New York, so she lived there, and she kept that
15	in New York, and I was considered that location,	15	apartment there, and I bought her share of the house
16	because I was spending more time there.	16	here in Houston.
17	And then there was a time that I was	17	Q. And -- and you lived there?
18	living at a time in Florida, and it was -- at the	18	A. And I lived there.
19	time I was in Florida, probably, I was considering	19	Q. In 1984, did Daniel Dror live with his
20	that the -- the North Boulevard was -- was my	20	mother?
21	residence.	21	A. It is -- actually, he lived with me more than
22	Q. When did you live in New York?	22	he lived with his mother.
23	A. I lived in New York in 19 -- when -- you're	23	Q. Both places, though?
24	asking for the period that I had the place in	24	A. Both -- yeah.
25	New York?	25	Q. The last time you were the record owner of
Page 39		Page 41	
1	Q. Yes, sir. Yes, sir.	1	1412 was 1991. True?
2	A. Was probably 1977 to 1984, '85.	2	A. 1991? I don't remember; a long time ago. I
3	Q. You continuously lived in New York?	3	was, at one point, there some -- around that time, I
4	A. Pretty much. I would come to Houston, but,	4	was the owner of it.
5	primarily, I would consider that I was living in New	5	Q. Around that time, you ceased to be the record
6	York.	6	owner of it. True?
7	Q. Okay. In 1977 through 1984, who was	7	A. I don't remember. If you show me documents,
8	continuously occupying 1412 North Boulevard?	8	it may refresh my memory. I'll be glad to explain.
9	A. I'm trying to remember. My ex-wife, Barbara,	9	Q. Well, you know that for more than ten years,
10	who passed away, this was Daniel's mother, she	10	you have not been the record owner of 1412. True?
11	occupied it, and Daniel occupied it, also. He was	11	A. The title has changed a couple of times. I'm
12	living there.	12	remembering that.
13	Q. So while your ex-wife was living there, you	13	Q. Do you know what "record owner" means?
14	were not living there. True?	14	A. Yeah.
15	A. Well, I was living there periodically, but, I	15	Q. And so my question is, for the last ten
16	mean, like, I was not -- I was considering New York	16	years, you know that you have not been the record
17	primarily that I was mostly in New York.	17	owner of 1412. True?
18	Q. I understand.	18	A. I -- I don't remember the -- the exact date.
19	After you and your wife -- your ex-wife	19	If you show me some documents to refresh my memory,
20	divorced, where did you live?	20	I'll be glad to -- to respond to them.
21	A. I lived in -- I lived here, after that, in	21	(Exhibit No. 87 was marked.)
22	'84.	22	Q. (BY MR. HARRELL) Mr. Dror, I'm going to show
23	Q. Okay.	23	you what's been marked as Exhibit 87, and ask you if
24	A. But there was a period from '87 to '84, I'm	24	you can identify that, sir?
25	talking about.	25	A. It is a Special Warranty Deed, dated the 13th

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<p>1 day of June 1991.</p> <p>2 Q. And it is a deed from you, as the grantor?</p> <p>3 A. Yes.</p> <p>4 Q. Correct?</p> <p>5 A. Correct.</p> <p>6 Q. To Daniel Dror, II, 1976 Trust. True?</p> <p>7 A. Yes.</p> <p>8 Q. What is the Daniel Dror 1976 Trust?</p> <p>9 A. The -- a 1976 Trust, to the best of my recollection -- now, that's been a long time ago -- it was -- it was set up by Daniel's mother, for him, in 1976, and it has a certain amount of assets at the time, and also had a certain amount of cash.</p> <p>14 And to the best of my recollection, I owed money to the IRS at the time. I had an IRS obligation, and I didn't have any other way to borrow money from banks or so forth, so I transferred the property to -- to the -- to the Trust and received the cash to pay the IRS.</p> <p>20 That's the best of my recollection at the time.</p> <p>22 Q. How much cash did you receive?</p> <p>23 A. I think, at the time, I owed 400-and-some-odd-thousand dollars.</p> <p>25 Q. And you received 400-and-some-odd-thousand</p>	<p>1 A. Ruthstrom.</p> <p>2 Q. -- Ruthstrom?</p> <p>3 A. She got married twice, one to a Schultz, one to a Ruthstrom, so...</p> <p>5 Q. Okay. And in -- so in 1991, she was working for you at American International. True?</p> <p>7 A. Yes. She was just -- I think, just about that time that she -- she may have started.</p> <p>9 Q. Was your ex-wife a trustee of the 1976 Trust, in 1991?</p> <p>11 A. I'm not sure. I don't know. Don't recall.</p> <p>12 I think that she was, but I -- I don't recall.</p> <p>13 Q. Did you pay any money on existing loans or liens on 1412, after the conveyance?</p> <p>15 A. I don't -- I don't understand. Any liens?</p> <p>16 Q. Okay. Let me -- let me show you, again, Exhibit 87. Okay?</p> <p>18 It is at the last sentence of the first paragraph. "Such conveyance is hereby made subject to all the presently existing liens and encumbrances on the property."</p> <p>22 A. Yeah. So that's probably what -- in other words, it was -- it was deeded to them for a certain amount of the equity and cash that I received, and the Trust may have assumed the -- whatever balance of</p>
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<p>1 dollars?</p> <p>2 A. To the best of my recollection, I think that's the amount that it was at the time. I received the amount that I needed for -- for the -- for the IRS.</p> <p>6 Q. Who was the trustee or trustees of the Trust, in 1991?</p> <p>8 A. In 1991, I think it was -- I think it was his mother, or it may have been, at one time, in the very beginning, it may have been my father, but I'm not -- I'm not sure.</p> <p>12 Q. Well, why don't you look at Exhibit 87. It shows that it was conveyed to Nathan.</p> <p>14 A. Yeah.</p> <p>15 Q. And I -- I apologize.</p> <p>16 A. Yeah, this was my father, Faiwuszewicz, at that time, yeah.</p> <p>18 Q. And that -- that was your name, until you changed it. Correct?</p> <p>20 A. This is correct.</p> <p>21 Q. When did your father pass away?</p> <p>22 A. I think in '95.</p> <p>23 (Brief discussion off the record.)</p> <p>24 Q. (BY MR. HARRELL) Rebekah Schultz, is that the same thing as Rebekah --</p>	<p>1 any mortgages at the time that were on the property.</p> <p>2 Q. Well, do you know the difference between "subject to" and "assuming"?</p> <p>4 And if you don't, you don't.</p> <p>5 A. Well, of course. I mean -- well, my understanding is that subject to, meaning that you're taking it with whatever it has on it, but without your personal liability on it, that it is strictly secured by the property itself.</p> <p>10 Assuming is when you assume the responsibility for payment, regardless of the security itself. That's my understanding of it.</p> <p>13 Q. Did you continue to make payments on the mortgage, after this transfer?</p> <p>15 A. I don't recall.</p> <p>16 Q. Did you ever make any payments to the Daniel Dror 1976 Trust?</p> <p>18 A. Payments regarding this transaction?</p> <p>19 Q. Yes, sir. Yes, sir.</p> <p>20 A. I don't recall. I think that I received the money, and that I conveyed the property at that point to '76 Trust. And I don't remember the moment of the mortgage or -- or -- and I don't remember if I made any payments.</p> <p>25 Q. But you continued to live there. True?</p>

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<p>1 warranty deed -- and I'm -- I'm just thinking why I 2 would have done it, not that I remember why I would 3 have -- why I did it. But it looks to me like, when 4 I see "General Warranty Deed," usually a trust or 5 property by a general warranty deed.</p> <p>6 So, you know, to differentiate, to make 7 sure it is not, like, a transfer of some property to 8 somebody, I wrote over here, "Dror Life Estate," so I 9 would know that that's what this document was talking 10 about.</p> <p>11 Q. Who prepared this document?</p> <p>12 A. This was prepared, I think, by Daniel's -- by 13 Daniel's attorney.</p> <p>14 Q. Who was that?</p> <p>15 A. I don't know who it was, but I -- I remember 16 that -- that Daniel wanted to make sure that it 17 was -- that it is -- that -- he had concerns about 18 the fact that I'm married to a younger woman, and 19 that we have a child. And he wanted to make sure, 20 since this was his primary residence, that he 21 considered his homestead, that in case something 22 happened to me, that he will not have any problem to 23 have a young wife that could get some attorney to 24 create also some problems. So he decided he wanted 25 to have it very clear that I had a life estate and</p>	<p>1 I pay the -- as long as I pay the mortgage and the 2 expenses, until some other things would -- would -- 3 if change, like in the event of my demise, or in the 4 event of maybe some unforeseen event.</p> <p>5 Q. And then what was going to happen?</p> <p>6 A. I'm sorry?</p> <p>7 Q. And then what was going to happen?</p> <p>8 A. What do you mean, what's going to happen 9 after that?</p> <p>10 Q. You're going to occupy it until some event, 11 like your demise, and then I said, "Then, what was 12 going to happen?"</p> <p>13 A. Or it could have been in one or two months 14 that he could come in and say, "Dad, you know, leave. 15 I need my house. I got married. I want to have 16 children, and go somewhere else."</p> <p>17 Q. And you would have jumped on that?</p> <p>18 A. What's that?</p> <p>19 Q. You would have agreed to that?</p> <p>20 A. What do you mean do I -- if I agree to that?</p> <p>21 I mean, at that time, if he would have 22 come with that kind of a request, I would have said 23 it depends on the circumstances. If he had -- the 24 conditions, I had the conditions to go and buy 25 another house or he would have been able to buy</p>
<p style="text-align: center;">Page 167</p> <p>1 Gabriela would -- see if I remember correct -- would 2 have -- let's see what it says here, "The 3 relationship will terminate one year after the death 4 of Dror," yeah. So that means that if something 5 happened to me, that she would have one year to 6 vacate the -- the residence of -- of Daniel.</p> <p>7 MR. HARRELL: Object; nonresponsive.</p> <p>8 Q. (BY MR. HARRELL) Did you have --</p> <p>9 A. What is nonresponsive?</p> <p>10 Q. You didn't answer my question.</p> <p>11 But --</p> <p>12 A. Yeah, okay.</p> <p>13 Q. -- did you --</p> <p>14 A. I didn't answer your question?</p> <p>15 Q. Did you have any agreement with your son 16 about your occupancy, before Exhibit 78?</p> <p>17 A. About my occupancy?</p> <p>18 Q. Yes.</p> <p>19 A. And discussing the document with him?</p> <p>20 Q. Yes, sir.</p> <p>21 Before -- before this Exhibit 78, did 22 you have any agreement about your occupancy of 23 1412 with your son?</p> <p>24 A. I had a -- basically, an oral, sort of, 25 month-to-month agreement that -- that I -- as long as</p>	<p style="text-align: center;">Page 169</p> <p>1 another house, we would have done whatever at the 2 time would have been the -- the thing to do.</p> <p>3 Q. Well, in 2007, he had another house. True?</p> <p>4 A. Another house?</p> <p>5 Q. Yes, sir.</p> <p>6 A. He never had another house.</p> <p>7 Q. Did he have a condominium at the Huntington?</p> <p>8 A. That condominium was like he was -- his 9 girlfriend lived around the corner, and he used it 10 most of the time. To the best of my knowledge, he 11 used it over there for his office and exercise rooms 12 and -- and board -- board meetings, had a -- had a 13 conference over there.</p> <p>14 To me, that's what -- he did not have 15 another house, he did not own any other house.</p> <p>16 Q. He owned a condominium?</p> <p>17 A. No. He owned a condominium way, way after.</p> <p>18 Q. Way after what?</p> <p>19 A. In 2007?</p> <p>20 Q. Yes, sir.</p> <p>21 A. To the best of my knowledge, he didn't own a 22 condominium. Unless you -- maybe -- I don't remember 23 when he bought it, so if you'll refresh my memory 24 when he bought it.</p> <p>25 Q. Well, he testified he bought it in 2007.</p>

Oral Deposition of Daniel Dror

<p style="text-align: right;">Page 226</p> <p>1 I, DANIEL DROR, have read the foregoing 2 deposition and hereby affix my signature that same is 3 true and correct, except as noted above.</p> <p>7 <u>DANIEL DROR</u></p> <p>9 THE STATE OF TEXAS) 10 COUNTY OF _____)</p> <p>11 Before me, _____, on this day 12 personally appeared DANIEL DROR, known to me (or 13 proved to me under oath or through 14 _____) (description of identity card or 15 other document) to be the person whose name is 16 subscribed to the foregoing instrument and 17 acknowledged to me that they executed the same for 18 the purposes and consideration therein expressed.</p> <p>19 Given under my hand and seal of office this 20 _____ day of _____, 2012.</p> <p>24 Notary Public in and for 25 the State of Texas</p>	<p style="text-align: right;">Page 228</p> <p>1 to me by _____, 2012. 2 That the amount of time used by each party at the 3 deposition is as follows: 4 MR. C. ED HARRELL (4 Hours, 26 Minutes) 5 MR. NEAL D. CANNON, JR. (6 Minutes) 6 MR. LEONARD H. SIMON (0 Minutes) 7 That pursuant to information given to the 8 deposition officer at the time said testimony was 9 taken, the following includes counsel for all parties 10 of record: 11 Mr. C. Ed Harrell, Counsel for 12 Plaintiff/Counter-Defendant Wells Fargo, Trustee 13 Mr. Neal D. Cannon, Jr. Counsel for Defendant 14 Daniel Dror II, Daniel Dror and Gabriela Krkoskova 15 Dror 16 Mr. Leonard H. Simon, Counsel for Defendant 17 Boulevard Properties Corporation 18 I further certify that I am neither counsel for, 19 related to, nor employed by any of the parties or 20 attorneys in the action in which this proceeding was 21 taken; and further, that I am not financially or 22 otherwise interested in the outcome of the action. 23 Further certification requirements pursuant to 24 Rule 203 of TRCP will be certified to after they have 25 occurred.</p>
<p style="text-align: right;">Page 227</p> <p>1 CAUSE NO. 2010-27354 2 WELLS FARGO BANK, N.A., AS IN THE DISTRICT COURT OF 3 TRUSTEE FOR OPTION ONE) 4 MORTGAGE LOAN TRUST) 5 2007-FXD1, ASSET-BACKED) 6 CERTIFICATES, SERIES) 7 2007-FXD1, BY ITS) 8 SERVICER-IN-FACT,) 9 SPECIALIZED LOAN) 10 SERVICING, LLC,) 11 Plaintiff,) 12 VS.) 270TH JUDICIAL DISTRICT 13 BOULEVARD PROPERTIES) 14 CORPORATION, DANIEL DROR,) 15 II, DANIEL DROR, AND) 16 GABRIELA KRKOSKOVA DROR,) 17 Defendants.) HARRIS COUNTY, TEXAS</p> <p>18 REPORTER'S CERTIFICATION 19 DEPOSITION OF DANIEL DROR 20 SEPTEMBER 6, 2012</p> <p>21 I, Yvette M. Perrodin, Certified Shorthand 22 Reporter in and for the State of Texas, hereby 23 certify to the following: 24 That the witness, DANIEL DROR, was duly sworn by 25 the officer and that the transcript of the oral deposition is a true record of the testimony given by the witness; That the deposition transcript was submitted on to the witness or to the attorney for the witness for examination, signature and return</p>	<p style="text-align: right;">Page 229</p> <p>1 Certified to by me this _____ day of 2 _____, 2012.</p> <p>3 4 5 6 Yvette M. Perrodin, CSR #8122 7 CSR Expiration: 12-31-2013 8 Liberty Litigation Support 9 7171 Highway 6 N, Suite 200 10 Houston, Texas 77095 11 Phone: (832) 427-5460 12 Fax: (713) 533-8997 13 Firm Registration No. 708</p>

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